

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 L-02 H-01 PA-01 PRS-01 USIE-00 SCS-03

CIAE-00 INR-07 NSAE-00 INRE-00 SSO-00 SCA-01 JUSE-00

/029 W

----- 098298

O 102105Z FEB 75

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC IMMEDIATE 5611

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E.O. 11652: N/A

TAGS: CGEN, PFOR, CN

SUBJ: BUFFALO POLICE PURSUES TRUCK INTO CANADA

REF: JOHNSON/BROWN TELECON

BEGIN SUMMARY

1. GLOBE AND MAIL FEATURED FRONT PAGE REPORT THIS AM ALLEGING BUFFALO POLICE PURSUED TRUCK WITH SIX OCCUPANTS INTO CANADIAN TERRITORY AND, FIRING SHOTS, INJURED ONE TRUCK OCCUPANT. CITIZEN FRONT-PAGED SIMILAR STORY.

2. EMBOFF CALLED EXTAFF (BURKE - PRIVATE INTERNATIONAL LAW) AND, INFORMALLY EXPRESSING REGRET OVER INCIDENT, ASKED EXTAFF FOR FACTS AFTER APPRISING BURKE OF CONTENTS OF GLOBE AND MAIL ARTICLE. LATTER, ACKNOWLEDGING INFORMAL EXPRESSION OF REGRET, SAID HE WOULD OBTAIN FACTS ON CANADIAN SIDE WHILE EMBOFF UNDERTOOK TO CONTACT BUFFALO POLICE AUTHORITIES FOR FACTS FROM THAT SOURCE. END SUMMARY.

3. BUFFALO POLICE COMMISSIONER BLAIR PROVIDED ON PRELIMINARY AND INFORMAL BASIS FOLLOWING REPORT:

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"MR. PAUL WILLIAMS, AN ATTORNEY REPRESENTING MR. JAMES

POWLESS, CLAIMED THAT AT ABOUT 3:40 A.M. ON FEB 8, 1975, POWLESS WHILE RETURNING TO HIS HOME IN CANADA FROM BUFFALO WAS CHASED OVER PEACE BRIDGE BY A PATROL CAR FROM THE 10TH PRECINT. DURING THE PURSUIT FROM THE AMERICAN TO THE CANADIAN SIDE OF THE BRIDGE THE ATTORNEY CLAIMED THAT SEVERAL SHOTS WERE FIRED AT HIS CLIENT'S TRUCK BY THE OFFICER WHO WAS LEANING OUT OF THE PASSENGER SIDE OF THE POLICE CAR. MR. WILLIAMS STATED THAT HIS CLIENT DROVE HIS 1965 CHEVROLET HALF-TON TRUCK TO THE CANADIAN CUSTOMS BOOTH, STOPPED MOMENTARILY, AND ADVISED THE CANADIAN CUSTOMS OFFICER THAT HE WAS GOING TO PULL IN JUST BEYOND THE BOOTH, STOP, AND SEE WHAT THAT BUFFALO COP WANTS. WILLIAMS CLAIMS THAT HIS CLIENT STOPPED AND THE BUFFALO POLICE CAR PULLED THROUGH THE CUSTOMS BOOTH WITHOUT STOPPING AND THEN DROVE OVER TO WHERE HE HAD PARKED HIS TRUCK. THE TWO UNIFORMED POLICEMEN THEN ALIGHTED FROM THEIR PATROL CAR AND WALKED OVER TO MR. POWLESS WHO WAS STANDING ALONGSIDE HIS PARKED TRUCK. THE BUFFALO POLICEMAN WHO WORE A MOUSTACHE HAD A GUN IN HIS HAND WAS WAS POINTING IT AT MR. POWLESS. MR. POWLESS, ACCORDING TO THE ATTORNEY, TRIED TO KNOCK THE GUN OUT OF HIS HAND. THE POLICEMEN THEN SHOT AT HIM "POINTBLANK," AND A CARTRIDGE CREASED MR. POWLESS' FOREHEAD. MR. WILLIAMS SAID THAT POWLESS IS NOW CONFINED AT DOUGLASS MEMORIAL HOSPITAL IN FT. ERIE. MR. WILLIAMS ALSO CLAIMED THAT A SECOND BUFFALO PATROL CAR CAME OVER TO THE CANADIAN SIDE OF THE BRIDGE BUT DID NOT PASS THROUGH THE CUSTOMS POINT. A REGIONAL POLICE CAR FROM FT. ERIE ALSO ARRIVED AT THE SCENE AND ARRESTED TWO OCCUPANTS OF THE POWLESS TRUCK, LYNN AND TERRENCE HILL, ALSO OF THE DOMINION RD. ADDRESS. THE ATTORNEY ADVISED ME THAT HE HAD NOT SPOKEN TO THE COMPLAINANT, MR. POWLESS, AS YET, AND THE INFORMATION THAT HE HAD REALTED TO ME WAS RECEIVED FROM RS. POWLESS, THE COMPLAINANT'S WIFE.

"MR. WILLIAMS ADVISED ME THAT HE INTENDS TO REPORT THE INCIDENT TO THE ROYAL CANADIAN MOUNTED POLICE AFTER HE CONFERS WITH THE REGIONAL POLICE, AND SAID THAT HE IS CONFIDENT THAT BOTH OFFICERS WILL BE EXTRADITED TO CANADA BECAUSE OF THE INCIDENT."

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4. COMMISSIONER ACKNOWLEDGE THAT BUFFALO POLICE CAR VIOLATED REGULATIONS IN PROCEEDING BEYOND MIDDLE OF PEACE BRIDGE. HE RELATED THAT TRUCK HAD SIDE-SWIPE POLICE CAR, THAT POLICE CAR HAD GIVEN CHASE DURING WHICH POLICE CAR AGAIN BUFFETTED BY FLEEING TRUCK, AND THAT POLICE OFFICER, WHILE ATTEMPTING UNSUCCESSFULLY TO OVERTAKE TRUCK ON BRIDGE, HAD FIRED ONE WARNING SHOT. WHETHER THIS WAS ON U.S. OR CANADIAN SIDE STILL NOT CLEAR.

5. WHETHER ANOTHER SHOT FIRED IN VICINITY OF CANADIAN
CUSTOMS POINT STILL BEING INVESTIGATED.

6. BLAIR SAID HIS DEPARTMENT STILL IN PROCESS OF
OBTAINING FACTS AND WOULD SEND EMBASSY COPY OF REPORT AS SOON
AS COMPILED.

7. EMBASSY UNDERSTANDS FROM ADDITIONAL EXTAFF (JOHNSTON)
CONVERSATION THAT MATTER REXPECTED TO BE RAISED IN
PARLIAMENT. PORTER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 10 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975OTTAWA00473
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750048-0454
From: OTTAWA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750257/aaaabzev.tel
Line Count: 126
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 05 MAY 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <05 MAY 2003 by CunninFX>; APPROVED <06 MAY 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BUFFALO POLICE PURSUES TRUCK INTO CANADA
TAGS: CGEN, CN, (POWLESS, JAMES)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006